

HARRIS BEACH ^{PLC}
ATTORNEYS AT LAW

April 12, 2024

Via CM/ECF and E-Mail

United States District Judge Katherin Polk Failla
United States District Court for the Southern District
40 Foley Square, Room 2103
New York, NY 10007
Failla_NYSDChambers@nysd.uscourts.gov

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KEITH M. CORBETT, ESQ.

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RE: **Wilburt Perez vs. Michael J. Martino and Jonas Bronck Housing Co.,
Case No. 23-cv-00193**

Dear Judge Failla:

MEMO ENDORSED

As you are aware, our office represents the Defendants, Michael J. Martino and Jonas Bronck Housing Co., in the above-referenced matter. Pursuant to the Court request, please be advised that my office has been unable to reach Plaintiff's counsel concerning the submission of the joint status letter which was required to be filed on April 5, 2024. My office reached out to Plaintiff's counsel on April 4, 2024, one day prior to said filing, to no avail.

Additionally, subsequent to the Court's inquiry on April 10, 2024, Plaintiff's counsel has not responded in any way to ensure for the filing of a joint status letter. As the Court is aware, we are desirous of having a settlement conference before your Honor and, please be advised we have no objection to a dismissal of this matter for the failure to prosecute.

Respectfully submitted



Keith M. Corbett

To: Levin-Epstein & Associates, P.C.
60 East 42nd Street, Suite 4700
New York, NY 10165
Attn: Jason Mizrahi, Esq.

The Court is in receipt of Defendants' above letter. The Court construes Plaintiff's non-responsiveness as consent to proceed in accordance with Defendants' proposal.

Accordingly, the parties are hereby ORDERED to appear for a settlement conference before the undersigned on **May 22, 2024**, at **10:30 a.m.**, in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. The Court expects Mr. Perez to appear in person, as well as a representative of Defendants with authority to settle this matter.

Dated: April 16, 2024
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE